

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

| | | |
|------------------------------|---|---------------------------|
| JOSE RIVERA, |) | No. C 03-4336 JSW (PR) |
| |) | |
| Plaintiff, |) | ORDER OF DISMISSAL |
| |) | |
| v. |) | |
| |) | |
| DEPUTIES JONES, MA and SHAR, |) | |
| |) | |
| Defendants. |) | |

Plaintiff, formerly a detainee at the San Francisco County Jail, filed this civil rights action pursuant to 42 U.S.C. § 1983, complaining of violations of his civil rights during his detention there. On May 15, 2006, this Court ordered Plaintiff to provide further identifying information regarding Defendants so that service could be effected, as all of the previously issued summonses had been returned unexecuted due to insufficient identifying information (docket no. 17). In the Court's order, Plaintiff was informed that failure to respond to the order would result in dismissal of this matter for failure to prosecute.

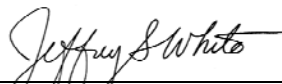
The Court's order was later returned to sender. Thereafter, on June 20, 2006, the Court received a letter from Prisoner Legal Services at the San Francisco Jail, noting that a change of address form was filed in January 2005, that Plaintiff had not received this Court's orders since February 2005, and requesting that further correspondence regarding Plaintiff's case be sent to that office. On July 18, 2006, this Court issued an

1 order directing the Clerk of Court to update Plaintiff's address, send copies of this
2 Court's earlier orders docket numbers 13 and 17 to the new address and granted Plaintiff
3 an extension of thirty days in which to respond to this Court's order (docket no. 18). An
4 additional copy of orders docket numbers 13, 17 and 18 was sent on September 25, 2006
5 and notation of that was made on the Court's docket sheet. Neither the original order
6 docket number 18 nor the additional copies have been returned to the Court undelivered.

7 However, since that time, Plaintiff has not communicated with this Court. As
8 such, this case is DISMISSED without prejudice for failure to prosecute and to comply
9 with a court order pursuant to Federal Rule of Civil Procedure 41(b). *See Link v.*
10 *Wabash R.R.*, 370 U.S. 626, 633 (1962); *McKeever v. Block*, 932 F.2d 795, 797 (9th Cir.
11 1991). The clerk shall close the file and enter judgment in this matter.

12 IT IS SO ORDERED.

13 DATED: January 5, 2007

14 
15 JEFFREY S. WHITE
16 United States District Judge
17
18
19
20
21
22
23
24
25
26
27
28